

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, FEBRUARY 22, 2000
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Kathy Campbell, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Linda Steinman
Bob Workman

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk
Ann Taylor, County Clerk's Office

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, February 15, 2000. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)**

MOTION: Heier moved and Hudkins seconded approval of the minutes of the Board of Equalization dated February 15, 2000. Hudkins, Heier, Workman and Steinman voted aye. Campbell abstained. Motion carried.

- 2) **APPROVAL OF MOTOR VEHICLE TAX EXEMPTIONS:**

CenterPointe, Inc.
First Evangelical Covenant Church
First Lutheran Church
Good News Broadcasting Association, Inc.
Goodwill Industries Serving Southeast Nebraska, Inc.
Pius X High School
Transfiguration, Inc.
Wyuka Cemetery
Union College

MOTION: Steinman moved and Heier seconded approval of motor vehicle tax exemptions for CenterPointe, Inc., First Evangelical Covenant Church, First Lutheran Church, Good News Broadcasting Association, Inc., Goodwill Industries Serving Southeast Nebraska, Inc., Pius X High School and Wyuka Cemetery and approval of motor vehicle tax exemptions for Transfiguration, Inc. and Union College subject to the vehicles being titled and registered by the applicants. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

3) **NOTICE OF VALUATION CHANGE FOR OMITTED OR UNDERVALUED PROPERTY FOR THE FOLLOWING:**

Open Bible Standard Church

Norm Agena, County Assessor, stated the property would be placed back on the tax rolls, in the amount of \$52,185.

MOTION: Hudkins moved and Steinman seconded to accept the Assessor's recommendation and set the value at \$52,185. Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

4) **REMOVAL OF 1999 TAX EXEMPTION ON REAL PROPERTY FOR THE FOLLOWING:**

Open Bible Standard Churches

Norm Agena, County Assessor, explained that the church was closed in June, 1999 and is presently vacant and on the market to be sold.

MOTION: Steinman moved and Hudkins seconded to accept the Assessor's recommendation and remove the tax exemption on real property for 1999 for Open Bible Standard Churches. Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

5) **ADJOURNMENT:**

By direction of the Chair, the Board of Equalization meeting was adjourned.

Bruce Medcalf
County Clerk

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- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, February 15, 2000. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Hudkins moved and Steinman seconded approval of the minutes of the Board of Commissioners meeting dated February 15, 2000. Hudkins, Heier, Workman and Steinman voted aye. Campbell abstained. Motion carried.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, February 22, 2000.

MOTION: Hudkins moved and Workman seconded approval. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **OLD BUSINESS:**

Contracts between the County Engineer and Ray G. Wolfe, Jr. and Clifford Wolfe, in the total amount of \$14,900.81, on North 70th Street to Waverly Road; Project C55-G-405(2) (11 contracts) (C-10 through C-20)

MOTION: Workman moved and Heier seconded approval. Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **NEW BUSINESS:**

A. An agreement with Norris Public Power District to adjust their facility along Fletcher Avenue and Adams Street due to construction related to Project SRR-55(126). The County will pay an estimated amount of \$14,225.03. (C-00-79)

MOTION: Workman moved and Steinman seconded approval. Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

B. An agreement with Radiation Detection Company to monitor radiation levels for x-rays for the dental laboratory in the Corrections Department. There are five detectors and each unit costs \$11.75 and will be charged quarterly. (C-00-80)

MOTION: Hudkins moved and Workman seconded approval. Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

C. A contract with the Lincoln-Lancaster Mediation Center to provide professional services for neutral facilitation of meetings related to the Families First and Foremost Program. The Mediation Center will also provide training and education with regard to collaboration and conflict resolution. Contract term is September 1, 1999 through August 31, 2000 and the County will pay up to \$50,000 for the services. (C-00-61)

Dave Johnson, Deputy County Attorney, indicated that he has made the recommended changes, however, they are not reflected in the contract which the County Board is considering. He explained that the changes have been returned to the Lincoln-Lancaster Mediation Center for review and requested that the item be dropped from the agenda.

MOTION: Heier moved and Steinman seconded to accept the County Attorney's recommendation and drop the item from the agenda.

Heier noted that the contract was for a facilitator and not for mediation. He added that it will be in the form of a grant when it is approved.

ROLL CALL: Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

D. An agreement between Lancaster County and the Supreme Court of Nebraska Administrative Office of the Courts/Probation for the use of 18 personal computers at the rate of \$24 per computer per month. (C-00-89)

MOTION: Hudkins moved and Steinman seconded approval. Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

E. An agreement between the County Engineer and Dwight Johnson and Associates for appraisal services, in the amount of \$10,400, in connection with Project STPE-3265(6), South 68th Street, Roca Road to Saltillo Road. (C-00-87)

MOTION: Steinman moved and Heier seconded approval.

In response to a question asked by Workman regarding a less expensive way to appraise the 22 parcels, Don Thomas, County Engineer, explained that there are two companies who bid their work and that he wasn't aware of any other way to perform the necessary work.

Hudkins asked if the appraisal company would be available if they have to proceed with condemnation.

Thomas stated yes.

ROLL CALL: Campbell, Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

F. A resolution in relation to County Final Plat 98025, Timberline Estates, requested by J.D. Burt of Design Associates on behalf of Timberline Enterprises, Inc., for 12 lots on property generally located north and west of the corner of Southwest 56th Street and West Denton Road in Lancaster County, Nebraska. (R-00-17)

Dave Johnson, Deputy County Attorney, stated he prepared a second resolution to replace the one the Board has in their packet. The new resolution includes language regarding the filing of the resolution and subdivision agreement with the Register of Deeds.

In response to a question asked by Heier regarding junk cars, Mike DeKalb, Planning Department, responded that in the preliminary plat a covenant was attached to the property regarding the matter.

4) **NEW BUSINESS CONTINUED:**

MOTION: Hudkins moved and Steinman seconded approval of Resolution 00-17. Heier, Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

G. A subdivision agreement in relation to County Final Plat 98025, Timberline Estates, requested by J.D. Burt of Design Associates on behalf of Timberline Enterprises, Inc., for 12 lots on property generally located north and west of the corner of Southwest 56th Street and West Denton Road in Lancaster County, Nebraska. (C-00-81)

MOTION: Hudkins moved and Steinman seconded approval. Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

H. A resolution fixing the date, time and place for a public hearing regarding a request to vacate a portion of a County road located on Liberty Lane between Cromwell Drive and Dawn Avenue in Lancaster County, Nebraska. (R-00-15)

MOTION: Workman moved and Steinman seconded approval of Resolution 00-15 setting a public hearing for Tuesday, March 21, 2000 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding a request to vacate a portion of a County road located on Liberty Lane between Cromwell Drive and Dawn Avenue in Lancaster County, Nebraska. Workman, Campbell, Hudkins, Steinman and Heier voted aye. Motion carried.

I. Authorization of the installation and/or removal of the following traffic signs in Lancaster County, Nebraska: (R-00-14)

- < **Installation of “Stop” signs on South 162nd Street for north and southbound traffic at the Saltillo Road intersection.**
- < **Installation of “four-way” signs below each “Stop” sign at the intersection.**
- < **Installation of “Stop Ahead” signs on South 162nd Street north and south of the Saltillo Road intersection.**

4) **NEW BUSINESS CONTINUED:**

The following changes will be made August 8, 2000 at the intersection at South 162nd Street and Saltillo Road:

- < Removal of “Stop” signs on Saltillo Road for east and westbound traffic.
- < Removal of “four-way” signs below each “Stop” sign at the intersection.
- < Removal of the “Stop Ahead” sign for eastbound traffic.
- < Installation of “Cross Traffic Does Not Stop” signs below the “Stop” signs on South 162nd Street for north and southbound traffic. (These warning signs will be removed after a six month adjustment period.)

In addition, the following changes should be made in the best interest of the traveling public:

- < Installation of a “School Bus Stop Ahead” sign for southbound traffic north of the residence of Kevin Svoboda located on Northwest 27th Street approximately .25 miles south of West Ashland Road, at the request of the Raymond School District.
- < Installation of a “Right Hazard” sign for eastbound traffic on culvert B-327 located approximately .3 miles east of Highway 77 on Raymond Road.

MOTION: Hudkins moved and Workman seconded approval of Resolution 00-14. Hudkins, Workman, Heier, Campbell and Steinman voted aye. Motion carried.

J. Authorization of the installation of the following signs in Lancaster County, Nebraska: (R-00-20)

At the intersection of West Denton Road and Southwest 80th Street in the Meadow View Subdivision:

- < Installation of street signs
- < Installation of a “Stop” sign for northbound traffic
- < Installation of a “No Outlet” sign for southbound traffic south of the intersection

4) **NEW BUSINESS CONTINUED:**

At the intersection of Southwest 80th Street and West Walin Lane and Southwest 80th Circle in the Meadow View Subdivision:

< Installation of street signs

Dave Johnson, Deputy County Attorney, stated the description referring to West Denton Road and Southwest 80th Street should read "at the intersection of West Van Dorn Street and Southwest 80th Street".

MOTION: Steinman moved and Heier seconded approval of Resolution 00-20 with the description referring to West Denton Road being corrected to read West Van Dorn Street. Campbell, Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

K. Recommendation from the Purchasing Agent and the County Engineer to reject all bids received for the purchase of two motor graders. Both bids received were over the County Engineer's budgeted amount for the purchase and it is the intent to rebid the proposed purchase without the guaranteed repurchase component. (B-00-09)

MOTION: Steinman moved and Workman seconded approval.

In response to a question asked by Workman, Don Thomas, County Engineer, said any company has the opportunity to bid on the graders, however, many elect not to do so because of the buy back program.

ROLL CALL: Hudkins, Campbell, Steinman, Heier and Workman voted aye. Motion carried.

L. Authorization for National Bank of Commerce, as Trustee, to disburse \$4,549.54 from the juvenile detention center bond proceeds to Sinclair Hille & Associates for architectural services for the new juvenile detention facility. (M-00-16)

MOTION: Heier moved and Workman seconded approval. Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

M. Request from Kit Boesch, Human Services Director, for approval of Keno Human Services Prevention funding. The total allocation request for the County and City is \$37,355. (M-00-14)

MOTION: Steinman moved and Heier seconded approval. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

N. Request from Gary Lacey, County Attorney, for approval of promotions of Sarah McGowan, Amy Jacobsen, Bruce Prenda and Lory Pasold from Attorney I to Attorney II and setting each of their salaries at \$47,000, effective immediately.

MOTION: Steinman moved and Heier seconded approval. Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

O. A political subdivision tort claim filed by Zach Scales against the Corrections Department for damaged property, in the amount of \$8.95 plus tax.

MOTION: Hudkins moved and Steinman seconded to accept the Director's recommendation and deny the claim filed by Zach Scales. Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

P. A political subdivision tort claim filed by Robert L. Smith against the Corrections Department for lost property, in the amount of \$75.

MOTION: Steinman moved and Heier seconded to accept the Director's recommendation and deny the claim filed by Robert L. Smith. Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

Q. Request from Angela Franssen, an employee in the Public Defender's Office, to voluntarily participate in the County's retirement plan. (M-00-15)

MOTION: Workman moved and Hudkins seconded approval. Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

5) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. Lincoln City Libraries Director's Report for January, 2000.

B. Setting of a public hearing for Tuesday, March 7, 2000 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding the automatic renewal of retail liquor and beer licenses issued in Lancaster County and outside the corporate limits of any City, pursuant to Resolution 5351 adopted July 2, 1996.

C. A resolution approving County Change of Zone 196, requested by the Director of Planning at the request of the County Board, to amend Article 4.017 of the Lancaster County Zoning Resolution to maintain density after county road acquisition. (R-00-16)

D. A resolution approving County Change of Zone 197, requested by the Director of Planning, to add a chapter to the Lancaster County Zoning Resolution regarding provision for "Personal Wireless Facilities". (R-00-19)

E. A resolution approving County Change of Zone 198, requested by the Director of Planning at the request of the County Surveyor and the Director of Building and Safety, to amend sections 11.007, 11.017, 13.001 and 18.003 of the Lancaster County Zoning Resolution to delete references to "mean sea level" and add references to "North American Vertical Datum (NAVD) 1988". (R-0018)

F. An agreement between the Lancaster County Engineer and K and M Land Surveying, Inc. to reestablish property line corners at Southwest 40th Street, Van Dorn to "A" Streets, in the amount of \$3,975. (C-00-88)

5) **CONSENT ITEMS CONTINUED:**

G. Leasehold agreements between the County Engineer and the following:

- < Loren Neujahr in connection with bridge construction near the intersection of Waverly Road and North 112th Street, in the amount of \$10; Project 0-23. (C-00-76)
- < William D. Sterns in connection with culvert replacement on Northwest 84th Street south of U.S. Highway 34, in the amount of \$10; Project C.P. E-105 (C-00-85)

H. Permanent easements between the County Engineer and the following:

- < Everett Munn, Jr., Joanna Seiber, Susan Young, Betty Robb and Riley Quest, L.L.C. in connection with bridge repair and maintenance on Bluff Road, one-half mile east of North 129th Street, at no cost to the County. (C-00-77)
- < Donald R. and Sandra K. Everett in connection with culvert replacement on Martell Road near Southwest 42nd Street, in the amount of \$775; Project C.P. T-89 (C-00-82)

I. Right-of-way contracts (temporary easements) between the County Engineer and the following:

- < Lois Pegram Trust for culvert construction on Northwest 84th Street, south of U.S. Highway 34, in the amount of \$276; Project C.P. E-105. (C-00-78)
- < Macdonald Farms for culvert construction on Old Cheney Road near South 190th Street, in the amount of \$189.75; Project C.P. Q-92. (C-00-86)
- < Michael A. and Mark D. Leavitt for culvert replacement on Holdrege Street near North 176th Street; Project C.P. J-299. This is a land donation. (C-00-84)
- < Raymond A., Billie B. and Harry Leavitt for culvert replacement south of Rockcreek Road on North 98th Street; Project C-00-83. This is a land donation. (C-00-83)

MOTION: Steinman moved and Workman seconded approval of the Consent Items.

5) **CONSENT ITEMS CONTINUED:**

Campbell requested the Clerk to prepare a list of establishments within the County who have liquor licenses for the County Board.

ROLL CALL: Heier, Workman, Hudkins, Campbell and Steinman voted aye.
Motion carried.

6) **OTHER BUSINESS:**

Karen Miller, representing Citizens for Accountable Route Selection (CARS), appeared and presented copies of letters from 30 individuals who are concerned about the numerous negative impacts of the historical resources on the EF-1 beltway route which have not been taken into account within the preliminary assessment (Exhibit A).

Miller urged the County Board for their support in ensuring that the Federal Highway Administration prepare a new assessment of effects addressing their concerns.

In response to a question asked by Hudkins, Miller stated they had read the letters and have kept all of their responses for the preliminary assessment to directly relate to the historical issues.

Jo Gutsell, representing the Preservation Association of Lincoln, appeared and submitted a copy of a letter written to the Federal Highway Administration in response to the preliminary assessment (Exhibit B). She stated they felt the indirect effect was not taken into account, two archeological sites were not denoted on maps and boundary issues were not considered.

Gutsell also requested a copy of all of the comments received by the Federal Highway Administration received in relation to the preliminary assessment of adverse effects, including telephone comments.

Gutsell also suggested that the County Board speak with the City Council regarding a muddy area at Fresh Start which needs to be paved.

Steinman stated Susan Scott, Fresh Start, will be attending a Joint Budget Committee meeting and they could speak to her about the problem at that time. It was also suggested that Gutsell speak with Jonathon Cook, City Council member.

7) **ADJOURNMENT:**

MOTION: Hudkins moved and Workman seconded adjournment of the Board of Commissioners meeting. Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk